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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 16.10.2018

CORAM

THE HONOURABLE MR. JUSTICE S.S.SUNDAR
and
THE HONOURABLE MR. JUSTICE M.V.MURALIDARAN

W.P. (MD) No. 21623 of 2018
and
W.M.P. (MD) No. 19528 of 2018

R.Karthigaivel : Petitioner

Vs.

1. The District Collector,
Dindigul District,
Dindigul.

2. The Tahsildar,
Dindigul West Taluk,
Dindigul District.

: Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the respondents from taking any coercive steps in the petitioner's property comprised in S.F.Nos. 354/2, 356/4 situated at Neelamalaikottai Village, Dindigul West Taluk, Dindigul District, except due process of law, based on the petitioner's representation dated 12.10.2018.

For Petitioner : Mr.S.Karthik

For Respondents : Mrs.S.Srimathy,
Special Government Pleader

ORDER

(Order of the Court was made by S.S.SUNDAR., J.)

This writ petition has been filed seeking issuance of a Writ of Mandamus, forbearing the respondents from taking any coercive steps in the petitioner's property comprised in S.F.Nos. 354/2, 356/4 situated at Neelamalaikottai Village, Dindigul West Taluk, Dindigul District, except due process of law, by considering the petitioner's representation dated 12.10.2018.



for the respondents.

3. The petitioner himself admitted that he is paying "B" Memo and issued with Form for Tree Patta, which is only a licence. The petitioner himself admitted that he is in encroachment and merely because he is collecting Coconut from the trees standing there for a long time, it will not confer him any right to the property in question. The petitioner's apprehension is also that the respondents are taking coercive steps without following due process of law.

4. Hence, this writ petition is dismissed, however, with an observation that the respondents shall not dispossess the petitioner otherwise than due process of law. No costs. Consequently, connected miscellaneous petition is closed.

Sd/

Assistant Registrar(Crl Side)

/True copy/

Sub Assistant Registrar(CS-I)

To

1.The District Collector,
Dindigul District,
Dindigul.

2.The Tahsildar,
Dindigul West Taluk,
Dindigul District.

+1cc to Mr.S.KARTHIK, Advocate, SR.No. 90897

+1cc to M/s.Special Government Pleader,SR.No. 90977

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and

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16.10.2018

SSL/GK

KK/RP/SAR-1/27.11.2018/2P-5C